

1 *Regular Meeting*  
2 *Mayor and Council*  
3 *Borough of Leonia*  
4 *July 6, 2005*  
5

6 *A meeting of the Mayor and Council of the Borough of Leonia, Bergen County, New*  
7 *Jersey, was held this evening the Borough Hall Annex, commencing at 7:35pm*  
8

9 ***Council Present:*** *Mayor Laurence Cherchi, Councilwoman Dwarica,*  
10 *Councilwoman Heveran, Councilman LaBianco (arrived at 8:40)*  
11 *Councilwoman Mitrani, Council President Ryan*  
12

13 ***Council Absent:*** *Councilman Puzzo*  
14

15 ***Also Present:*** *Fran Lehmann, Borough Clerk, David Russo, Borough Attorney,*  
16 *Victoria Miragliotta, Borough Administrator*  
17

18 Mayor Laurence Cherchi called the meeting to order at 7:35pm.  
19

20 Mayor Laurence Cherchi asked everyone to stand while Council President Ryan led in  
21 the Pledge of Allegiance.  
22

23 **OPEN MEETING STATEMENT**  
24

25 Conditions of the Open Meeting Act have been met by notice placed on the Bulletin  
26 Board at Borough Hall and notices have been sent to the official newspaper.  
27

28 **APPROVAL OF MINUTES**  
29

30 Regular Meeting of June 6, 2005 (held until July 18, 2005)  
31

32 Closed Session Minutes of June 6, 2005 – Council President Ryan asked to discuss these  
33 minutes in Closed Session.

34 Councilwoman Dwarica line 21 the word “been” is missing.  
35

36 Regular Council Meeting of June 20, 2005 – Councilman Ryan – Line 43 Rolands has  
37 one “I”. Councilperson Dwarica made a motion to approve the minutes of June 20 as  
38 amended, seconded by Councilwoman Mitrani. Roll call vote; Councilpersons Dwarica,  
39 Heveran, Mitrani, and Ryan voted yes. Councilmen LaBianco and Puzzo were absent.  
40 Minutes approved as amended.  
41

42 Closed Session Minutes of June 20, 2005 – Councilwoman Heveran – Lines 30 and 31  
43 there are two motions. The Borough Clerk explained that they were another set of  
44 minutes that were typed over and lines 30 and 31 were correct. Councilwoman Heveran  
45 made a motion to approve the Closed Session Minutes of June 20, seconded by Council

President Ryan. Roll call vote; Councilpersons Dwarica, Heveran, Mitrani and Ryan voted yes. Councilmen LaBianco and Puzzo were absent. Minutes approved.

## **APPOINTMENTS**

Mayor Cherchi appointed Joyce Raspa-Gore as Alternate to the Historic Preservation Commission.

## **COMMENTS FROM THE PUBLIC**

Barbara Marchant – 128 Spring Street – Mrs. Marchant expressed concerns regarding single-family homes with boarders. Mrs. Marchant also expressed concerns about the parking along Spring Street, as the street is very narrow, Mrs. Marchant also brought to the attention of the Governing Body that Spring Street is great disrepair. Mrs. Marchant would also like to know what can be done to keep the area near Spring Street, Maple Avenue, Palisades Avenue and Grand Avenue from turning into transient neighborhoods. Mayor Cherchi addressed Mrs. Marchants concerns.

Gil Hawkins – 123 Knapp Terrace – Requested that fire exits be included in the opening statement. While driving on Leonia Avenue he noticed that the new catch basins are not compliant with the new stormwater regulations. The heads of the catch basins are too wide, they should be only two inches wide. Mr. Hawkins and the Borough Administrator spoke with the Borough Engineer who said the plans were prepared before the stormwater regulations were written. The catch basins should be in compliance with the new regulations.

Darrell Whitter – 132 Spring Street – Mr. Whitter reiterated the concerns of Mrs. Marchant regarding the repairs of Spring Street and expressed concern regarding speeding through traffic on Spring Street. Mayor Cherchi addressed Mr. Whitters concerns.

## **RESOLUTIONS**

Councilwoman Dwarica made a motion seconded by Council President Ryan to approve Resolutions 05-168 through 05-174, 05-176 and 05-177. Roll call vote; Councilpersons Dwarica, Heveran, Mitrani and Ryan voted yes. Councilmen LaBianco and Puzzo were absent. Resolutions approved.

**Resolution 05-173-** Councilwoman Heveran made a motion to approve Resolution 05-173, seconded by Councilwoman Dwarica. On discussion Councilman Ryan asked if we were leaving ourselves open by only having one bid? The Borough Clerk explained that were sent out to other carriers this is the only one to respond. The Borough Administrator explained that it was advertised that is all that is necessary. By laws and the Borough Clerk went about and beyond to send out packages to other carriers. The Borough Administrator asked to “pending legal review” added to the Resolution. Roll call vote, Councilpersons Dwarica, Heveran, Mitrani and Ryan voted yes. Councilmen LaBianco and Puzzo were absent. Resolution 05-173 approved.

**Resolution 05-175** – Councilwoman Dwarica made a motion to approve Resolution 05-175, seconded by Councilwoman Mitrani. Councilman Ryan requested an explanation on the Resolution. The Borough Administrator explained the process. Roll call vote; Councilpersons Dwarica, Heveran, Mitrani and Ryan voted yes. Councilmen LaBianco and Puzzo were absent.

#### **ADOPTION OF ORDINANCE**

Adoption of Ordinance 11-05 entitled:

**AN ORDINANCE AMENDING CHAPTER 49 OF THE CODE OF THE BOROUGH OF LEONIA, COUNTY OF BERGEN, ENTITLED “POLICE” (Public Hearing)**

**Borough Clerk read the Ordinance by title**

Councilperson Dwarica made a motion, seconded by Councilperson Ryan to Adopt on Final Reading Ordinance 11-05. Roll call vote; Councilperson Dwarica, Heveran, Mitrani, Ryan voted yes. Councilmen La Bianco and Puzzo were absent. Ordinance 11-05 Adopted.

Adoption of Ordinance 12-05 entitled:

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 46 OF THE CODE OF THE BOROUGH OF LEONIA, ENTITLED “PERSONNEL POLICIES”**

**(Public Hearing) no one spoke**

**Borough Clerk read the Ordinance by Title**

Councilwoman Dwarica made a motion, seconded by Councilman Ryan to Adopt on Final Reading Ordinance 12-05. Roll call vote; Councilperson Dwarica, Heveran, Mitrani, and Ryan voted yes. Councilmen LaBianco and Puzzo were absent. Ordinance 12-05 adopted

#### **UNFINISHED BUSINESS**

a. Gate/Easement at Cemetery- The Borough Administrator explained there isn’t and easement. In 1982 the Cemetery expanded and both Fort Lee and Leonia gave up their respective right-of-way. Councilwoman Heveran questioned if Fairway Drive was included. The Borough Administrator stated without the tax map in front of her it would be very difficult to tell. Councilwoman Heveran asked if this could be done for a future meeting. Borough Attorney Russo reviewed the papers he handed out regarding the area near the Cemetery.

b. Letter from the Leonia Taxpayers Association – Mayor Cherchi would like to have the letter disseminated to all Department Heads involved. Mayor Cherchi would like the responses by the next meeting.

c. Old Ordinance for Police Extra Duty – Mayor Cherchi would have this put in the new codebook. Mayor Cherchi asked the Borough Clerk to review the new codebook against the old codebook.

d. Verdin Clock – Councilwoman Mitrani reported that the council approved the clock for the triangle but it was not included in the original plans. If it were to be included now, the plans would have to be resubmitted. Councilwoman Mitrani is looking for funding for the clock. The Borough Administrator explained the clock maybe purchased if we have the money left in another place in the budget or if there is money left in the first phase. We have \$10,000 left in phase 1.

### **NEW BUSINESS**

a. Borough Hall Office Configuration –Borough Administrator reported the Borough received a grant for \$250,000 would like to know the priorities of the Governing Body. The Borough Administrator would like to reconfigure office space. Councilwoman Mitrani has identified an office planner within the Borough who is willing to do this at no charge. The Council as a whole needs to decide if we are going to do brick re-pointing, new windows, heat and air conditioning etc. Council Mitrani feels that we need to have the electric upgraded. Mayor Cherchi reminded everyone, there is a study that addresses all the deficiencies. We need to do the things the engineer has said are priorities. Councilwoman Heveran reported she had some ideas for the offices, and has given them to the Borough Administrator.

b. Town Calendar – Councilwoman Heveran reported that he feeling of the public is too keeping the calendar as it is. The Borough Administrator explained that originally it was costing the Borough \$5,000, this year it would cost \$1,350. However, this item was cut from the budget, yet we retained \$3,000 for newsletters. If we reduce, the number of newsletters to two, we can be a part of the calendar. Councilwoman Heveran stated she is in favor of the idea. This would take away one newsletter and reduce the newsletter to two. Councilwoman Dwarica made a motion, seconded by Councilwoman Heveran to reduce the number of newsletters to two and allocate \$1,350 the calendar. Councilman LaBianco does not see a purpose to do the newsletter. Should do away with the newsletter and save the money in the budget. Councilwoman Mitrani said the newsletter would have a lot of information.. Councilwoman Heveran asked what would be in the newsletter? Councilwoman Mitrani explained the ideas for the newsletter. Councilwoman Heveran made a motion to amend the motion made by Councilwoman Dwarica to have only one newsletter and spend the money necessary to have the calendar, seconded by Councilman LaBianco. Councilwoman Mitrani reported that the Leonia Way as proposed will cost substantially less about \$1,000 per issue. We have \$3,000 in the budget if Councilwoman Dwarica's motion goes through then I don't think we need to make a decision about a second newsletter going out at this time. Councilman LaBianco said he would vote for the amendment. If money is in

the budget, we do not have to spend it. Roll call vote; on the amendment; Councilperson Dwarica, Mitrani and Ryan voted no. Councilperson Heveran and LaBianco voted yes. Councilman Puzzo was absent. Amendment fails. Roll call vote on motion; Councilperson Dwarica, Mitrani and Ryan voted yes. Councilpersons Heveran and LaBianco voted no. Councilman Puzzo was absent. Motion approved.

- c. October 3 Council Meeting – Councilwoman Heveran brought to the Jewish Holidays to the attention of the Governing Body, and suggested that the by taken into consideration. Councilwoman Dwarica made a motion, seconded by Councilwoman Mitrani to move the October 3<sup>rd</sup> meeting to October 5<sup>th</sup>, cancel the meeting of October 12<sup>th</sup> and add October 24<sup>th</sup>. Roll call vote; Councilpersons Dwarica, Heveran, LaBianco, Mitrani and Ryan voted yes. Councilman Puzzo was absent. Motion approved.

### **CORRESPONDENCE**

Councilwoman Heveran – Letter from Job regarding Wood Park dated June 28, with the letter it talks about ADA requirements. Mayor Cherchi feels the Recreation Commission should address this since they run the park. The Borough Administrator will copy the letter to Recreation.

Councilwoman Heveran asked about the June 29 memo from the Borough Administrator regarding the generator for the Ambulance Corps. The Borough Administrator explained the engineer's position. Mayor Cherchi requested a second opinion for running the cabling to the Ambulance Corps. The Borough Administrator would like to solicit proposals for a separate generator for the Ambulance Corps.

Councilwoman Heveran brought up a memo from Fire Chief Dunn to Police Chief Ziegler regarding procedure for dispatching for fire emergencies. The Borough Administrator stated she would address the concerns with Chief Ziegler.

### **COMMENTS FROM THE PUBLIC**

Nina Gaetjens 351 Oakdene Avenue – The letter from the Taxpayers Association was meant to open dialogue between the Association and the Council.

Mr. Tarey 325 Grand Avenue – Brought to the attention of the Governing Body that 322 Grand Avenue has left a large amount of garbage in front of the house for over a week. The Borough Administrator will have the Property Maintenance Officer investigate.

Darrell Whitter 132 Spring Street – Spoke regarding 322 Grand Avenue, and spoke about two other homes on Grand Avenue that had absent homeowners who are not maintaining their property.

229 Gil Hawkins 123 Knapp Terrace – Mr. Hawkins brought to the attention of the  
230 Governing Body, a sinkhole on the corner of Knapp Terrace and Park Avenue. The  
231 Borough Administrator will notify the Department of Public Works.  
232  
233 Ms. Colditz 150 Spring Street – Expressed concern about two addresses on Spring Street.  
234 She feels that there are more than tow families living in the homes. The Borough  
235 Administrator will have the proper authorities investigate.  
236  
237 Shirley Manuel 140 Overlook Avenue – Ms. Manuel inquired when minutes and agendas  
238 would be up on the website. Borough Clerk explained she is having a problem posting.  
239 The Clerk has been in contact with the new webmaster and everything will be posted  
240 shortly.  
241  
242 Councilman Ryan made a motion to go into closed session, seconded by Councilwoman  
243 Mitrani. All in favor none opposed.  
244  
245 Closed Session Minutes of June 6, 2005. Councilwoman Dwarica made a motion to adopt  
246 the Closed Session Minutes of June 6, 2005, as amended, seconded by Councilwoman  
247 Mitrani. Roll call vote: Councilperson Dwarica, Heveran, LaBianco, Mitrani and Ryan  
248 voted yes. Councilman Puzzo was absent. Minutes approved.  
249  
250 Resolution 05-178 Councilman Puzzo was contacted by phone at this time to vote on  
251 Resolution 05-178. Councilwoman Dwarica made a motion to approve Resolution 05-  
252 178, seconded by Councilwoman Mitrani. Roll call vote: Councilpersons Dwarica,  
253 Mitrani and Ryan voted yes, Councilpersons Heveran, LaBianco and Puzzo voted no.  
254 Vote resulted in a tie. Motion failed. Councilman Puzzo requested this item be placed on  
255 the agenda for the next meeting when he could be present for the discussion.  
256  
257 Councilman Ryan made a motion to go into Closed Session to discuss CSX Litigation,  
258 seconded by Councilwoman Mitrani, all in favor none opposed.  
259  
260 Councilwoman Heveran made a motion to adjourn, seconded by Councilman Ryan. All  
261 in favor none opposed.  
262  
263 There being no further business before the Governing Body the meeting was adjourned at  
264 10:30PM.  
265  
266 Respectfully submitted,  
267  
268  
269 Fran Lehmann  
270 Borough Clerk